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No. 0920 P. 1

JUN 21 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Adams et al.

Application No.: 10/751,304

Examiner: NGUYEN, C.T.

Filed: January 2, 2004

Art Unit: 3743

For: VACUUM TREATMENT OF WASTE STREAM  
WITH ANTI-INCRUSTATION MEASURES

CERTIFICATE OF TRANSMISSION  
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING  
FACSIMILE TRANSMITTED TO THE PATENT AND TRADEMARK  
OFFICE  
ON 6-21-05  
JONATHAN A. BAY  
REGISTRATION NO. 35064  
DATE 6-21-05

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

\*\*\* via the Centralized Facsimile Facility for \*\*\*  
Official Patent Application Related Correspondence  
\*\*\* (703) 872-9306 \*\*\*

Dear Sir:

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION  
37 C.F.R. §1.321(b),(c) and MPEP §1490

Interest of Person Making This Disclaimer

I, Jonathan A. Bay, represent that I am

(a)

- ☐ an inventor of this invention  
☐ legal representative authorized to sign on behalf of the inventor(s) for this invention  
☐ an Assignee of this invention  
☒ a representative authorized to sign on behalf of the Assignee for this invention

(b) The extent of the owner-entity's interest (ie., the interest of the sole inventor) is in

- ☒ the whole of this invention  
☐ a sectional interest in this invention, as follows (*state interest of owner*): \_\_\_\_\_

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**Identity of Assignee and Title of Disclaimant (if applicable)**

The Assignee is

Name of Assignee Micronics, L.L.C.  
Address of Assignee 5335 S. Garrison  
Carthage, Missouri (MO) 64836

Title of disclaimant authorized to sign on behalf of assignee \_\_\_\_\_

**Recordal of Assignment in PTO (if applicable)**

☒ the assignment was recorded on June 10, 2004  
☒ Reel 015455 ☒ Frame 0289  
\_\_\_\_\_ authorization for recordal of the assignment is separately attached hereto.

**Disclaimer**

I hereby

\_\_\_\_\_ disclaim the term of this patent subsequent to \_\_\_\_\_ 19\_\_\_\_.

-or-

☒ disclaim, except as provided below, the terminal part of the statutory term of any patent granted on this application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 through 156 and 173, as presently shortened by any terminal disclaimer (if any), of prior U.S. Patent No. 6,754,978.

The owner hereby agrees that any patent so granted on this application shall be enforceable only for and during such period that such patent so granted is commonly owned with said prior U.S. Patent No. 6,754,978, which formed the basis of the double patenting rejection. 37 C.F.R. §1.321(c).

This agreement runs with any patent granted on this application and is binding upon grantee, its successors or assigns.

In making the foregoing disclaimer, the owner does not disclaim the terminal part of any patent granted on this application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 through 156 and 173 of said prior U.S. Patent No. 6,754,978, as presently shortened by any terminal disclaimer (if any), in the event that it later:— expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all the claims canceled by a reexamination certificate, is reissued, or is in any manner

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**Fee Status**  
(37 CFR 1.20(d))

|   |              |
|---|--------------|
| <input type="checkbox"/> other than a small entity  | fee \$ .00   |
| <input checked="" type="checkbox"/> small entity  | fee \$ 65.00 |
| <input checked="" type="checkbox"/> Applicant claims small entity status under 37 C.F.R. §1.27. |              |
| <input type="checkbox"/> verified statement attached for _____.                                 |              |

☐ The sum of \$ \_\_\_\_\_ is submitted herewith.  
☐ Charge Account \_\_\_\_\_ for any fee deficiency. A duplicate of this sheet is attached.  
☐ Charge Deposit Account \_\_\_\_\_ the sum of \$ \_\_\_\_\_ and for any fee deficiency which  
                     may be due. A duplicate of this disclaimer is attached.  
☒ Authorized to be charged by credit card.

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|             | Expiration Date | <u>03/08</u> |

Date: 6-21-05

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